

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

BRITTNEY MCDOUGLE, INDIVIDUALLY, AND
ON BEHALF OF THE HEIRS AND WRONGFUL
DEATH BENEFICIAIRES OF MICHAEL MCDOUGLE

PLAINTIFFS

V.

CIVIL ACTION NO. 3:15-cv-00350-CWR-FKB

NESHOBA COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

AFFIDAVIT OF ERIC LYONS

STATE OF MISSISSIPPI
COUNTY OF NESHOBA

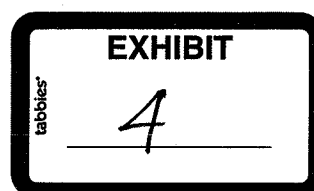
Before me, the undersigned notary public, personally appeared ERIC LYONS, who,
first being duly sworn, did depose and say:

I am a police officer employed by the City of Philadelphia, Mississippi Police
Department. I have personal knowledge of the information contained in this this affidavit.

1. On November 1, 2014, at approximately 9:47 p.m. I was on patrol duty when the
dispatcher informed me of a breaking and entering in progress at 285 West Atkins Street
in Philadelphia. The dispatcher also informed me that a black male subject was inside the
residence and was being restrained by someone at the residence.

2. I arrived at the residence at 9:51 p.m. and observed a man known to me to be Billy
Jean Seales holding down a man known to me to be Michael McDougale.

3. I approached the door and observed McDougale was moaning, screaming and



making unusual sounds. I instructed McDougle to turn onto his stomach but he did not respond. While Mr. Seales was still restraining McDougle, I grasped McDougle's arm and attempted to handcuff him. At that point, McDougle began to struggle with Mr. Seales and me.

4. As the resistance continued, I cautioned Seales to "watch his back". I then attempted to tase McDougle's center mass which appeared to have no effect on him.

5. McDougle attempted to stand and I continued to attempt to restrain him. McDougle attempted to bite me and I released him.

6. We both left the porch and ended up on the ground in front of Seales' residence. I laid on top of McDougle and asked Mr. Seales to find my radio. I then notified dispatch that I needed help. I continued to lay on top of McDougle until backup arrived.

7. Officer Brad Crockett arrived minutes later at which time Officer Crockett grasped one arm and I grasped the other and, along with the assistance of Mr. Seales, we were able to handcuff McDougle.

8. Throughout the arrest of McDougle, I used only the amount of force necessary to restrain him and to bring him under control. I did not beat or strike McDougle with my fist or any object.

9. McDougle was placed in a patrol car and Officer Crockett transported him to the Neshoba County Jail which was one block away.

10. I contacted Detective Moore and informed him of the details of the incident. Detective Moore advised me to put a hold on McDougle and charge him with breaking and entering.

11. Once at the jail, McDougle had to be carried into the jail. Officer Ray and I carried him directly into the isolation cell.
12. I was informed that an EMS unit was already in route to the jail to check on a subject in an unrelated case and that McDougle would be checked by EMS.
13. I was at the jail when EMS arrived and I observed McDougle tell EMS his name.
14. I relied upon the Emergency Medical Technicians to determine whether the subject needed immediate medical care..
15. At the time I left the Neshoba County Jail, McDougle was lying on the floor in isolation.
16. McDougle was charged with disorderly conduct, resisting arrest and breaking and entering.

I swear under the laws of the United States of America that the foregoing instrument is correct.

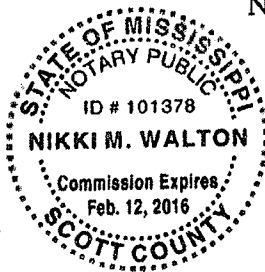

OFFICER ERIC LYONS

SWORN TO AND SUBSCRIBED before me, this the 17 day of September, 2015.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

2/12/16



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